

**Filed 10/16/01 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2001 ND 159

State of North Dakota,

Plaintiff and Appellee

v.

Randy Scott Jensen,

Defendant and Appellant

No. 20010097

Appeal from the District Court of Grand Forks County, Northeast Central
Judicial District, the Honorable Karen Kosanda Braaten, Judge.

AFFIRMED.

Per Curiam.

David T. Jones, Assistant State's Attorney, and Tory J. Langemo, third-year
law student, P.O. Box 5607, Grand Forks, ND 58206-5607, for plaintiff and appellee.
Submitted on brief.

Steven J. Simonson, 421 DeMers Avenue, Suite 3, Grand Forks, ND 58201,
for defendant and appellant.

State v. Jensen

No. 20010097

Per Curiam.

[¶1] Randy Jensen appealed from the judgment entered upon his jury conviction for Failure to Appear After Release - Bail Jumping. When the record is viewed in its entirety, there is sufficient evidence to convict Jensen, and the trial court did not abuse its discretion in declining to grant Jensen's N.D.R.Crim.P. 29 motion for acquittal based on insufficiency of the evidence, which was made at the end of the prosecution's case-in-chief. We affirm under N.D.R.App.P 35.1(a)(3) and (4). See State v. Schaeffer, 450 N.W.2d 754,756 (N.D. 1990), overruled on other grounds, State v. Himmerick, 499 N.W.2d 568, 570-72 (N.D. 1993) (holding that by presenting evidence after a N.D.R.Crim.P. 29 motion is denied at the close of the prosecution's case-in-chief, the defendant permits this Court to review the entire record).

[¶2] Gerald W. VandeWalle, C.J.
Dale V. Sandstrom
William A. Neumann
Mary Muehlen Maring
Carol Ronning Kapsner